IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SECOND DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION NO : 3232 of 1995

Between:

M. Ramachandraiah S/o. M. Narasimhulu, age 30 yrs,
A.P.S.W.R. School for Boys B.Kothakota, Chittoor District.

..... PETITIONER

AND

1 The A.P. Social Welfare Residential Educational Society rep. by its Secretary, Masab Tank, Hyderabad.
2 The District Collector/Chairman A.P.S.W.R.School Society, Chittoor District, Chittoor.
3 The Principal, A.P.S.W.R.E.School for Boys, B. Kothakota, Chittoor District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ or direction or order or orders more particularly one in the nature of Writ of Mandamus directing the respondents to regularise the service of the petitioner in the 1st respondent's society with all consequential benefits from the date of initial appointment following the exemptions given by the Division Bench of this Hon'ble Court in W.A. No. 978/93 and batch.

For the Petitioner: MR.M.L.ALI, ADVOCATE ,

For the Respondent No.2: G.P. for Education

For the Respondent Nos. 1 and 3 : Mr. Vijaya Bhaskar, S.C. for APSWRES

The Court made the following :

ORAL ORDER

This Writ Petition is filed by the petitioner seeking a Writ of Mandamus directing the respondents to regularize his services in the 1st respondent's society with all consequential benefits from the date of initial appointment following the exemptions given by the Division Bench of this Court in W.A.No. 978/1993 and batch.

The grievance of the petitioner is that he was appointed as Trained Graduate Teacher on 1.11.1988 and though he is fully qualified to be regularized in services, the respondents are not regularizing his services on the pretext that he is a III class graduate but not II class graduate.

According to the learned counsel for the petitioner the respondents are not considering the case of the petitioner for regularization not on the ground that he is a III class graduate, but as he has approached this Court and filed number of writ petitions. According to the learned counsel for the petitioner, there are several instances, where the governing body has considered the cases of those Trained Graduate Teachers who only possess III Class, but not II Class and one of such proceedings issued by the 1st respondent-society is R.C.NO. EZ/B 515/92, APSWREIS, dated 12.10.1992, intimating the individuals that the Board of Governors in its XVI meeting have given exemption to certain teachers who were appointed by the District Societies, though the said individuals are not having minimum prescribed divisions as per rules. As the respondents have given exemption to some of the Teachers and also taking the fact that the petitioner was appointed as early as in the year 1988 and he is continuing in service, I direct the respondents to consider the case of the petitioner for regularization as Trained Graduate Teacher.

This writ petition is accordingly disposed of. No costs.

_____ 2nd September, 2004

vp

ASSISTANT REGISTRAR

//TRUE COPY//

SECTION OFFICER

To

1. The Secretary, A.P.Social Welfare Residential Educational Society, Masab Tank, Hyderabad,
2. The District Collector/Chairman, A.P.S.W.R. School Society, Chittoor District, Chittoor,
3. The Principal, A.P.S.W.R.E. School for Boys, B.Kothakota, Chittoor District.
4. 2 C.Cs to Govt. Pleader for Education, High Court Buildings, Hyderabad (OUT-
5. 2 C.D. copies.